

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for Network Architecture Development of Dominant Carrier Networks.

Rulemaking 93-04-003
(Filed April 7, 1993)

Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks.

Investigation 93-04-002
(Filed April 7, 1993)

**(Permanent Line Sharing
Phase)**

**ADMINISTRATIVE LAW JUDGE'S RULING
REQUESTING COMMENTS ON IMPACT OF THE FEDERAL
COMMUNICATIONS COMMISSION'S TRIENNIAL REVIEW ORDER ON THE
COMMISSION'S LINE SHARING PROCEEDING**

On February 20, 2003, the Federal Communications Commission (FCC) adopted rules concerning incumbent local exchange carriers' (ILECs) obligations to make elements of their networks available on an unbundled basis to new entrants.¹ The FCC's action resolves various local phone competition and

¹ Review of Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Deployment of Wireline Services Offering Advanced Telecommunications Capability; and Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, CC Docket Nos. 01-338, 96-98, 98-147 & 02-33, Report and Order, "Triennial Review Order" (adopted Feb. 20, 2003).

broadband competition issues and addresses a May 2002 decision by the U.S. Court of Appeals for the District of Columbia that overturned the Commission's previous Unbundled Network Elements (UNE) rules. While the FCC adopted its rules in February, the order, while expected shortly, has not yet been released.

The FCC's new rules address a number of issues that could impact on Decision 03-01-077, that established permanent rates for the High Frequency Portion of the Loop (HFPL) or other aspects of our ongoing line-sharing proceeding. Once the long-awaited Triennial Review Order has been released and parties have an opportunity to review the actual text of the FCC's order, the Commission would like parties' comments on what impact that order would have on the Commission's Permanent Line Sharing Proceeding.

Therefore, **IT IS RULED** that 30 days from the date of the Federal Communications Commission's (FCC) order is released, the interested parties shall file comments in this docket on the impact the FCC's Order has on our Permanent Line Sharing Proceeding. Reply Comments are due 15 days after Comments are filed.

Dated August 13, 2003, at San Francisco, California.

/s/ KAREN A. JONES

Karen A. Jones
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Requesting Comments on Impact of the Federal Communications Commission's Triennial Review Order on the Commission's Line Sharing Proceeding on all parties of record in this proceeding or their attorneys of record.

Dated August 13, 2003, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.